Notice of Allowability	Application No.	Applicant(s)	
	09/472,232	DUMAS ET AL.	
	Examiner	Art Unit	
	Deepak Rao	1624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed on August 3, 2007*.

2. ☒ The allowed claim(s) is/are *6,9,25,32-34 and 39*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Deepak Rao/
Primary Examiner
Art Unit: 1624

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Richard Traverso on August 23, 2007.

The application has been amended as follows:

In the Specification:

Please amend the first paragraph of page 1 as follows:

-- This application is a continuation of 09/303,621 filed December 22, 1998 now abandoned which claims priority of provisional application 60/135,502 filed December 22, 1997. --

In the Claims:

Cancel claim 24 without any prejudice or disclaimer.

(Listing of claims after the examiner's amendment is enclosed in Appendix)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deepak Rao whose telephone number is (571) 272-0672. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson, can be reached at (571) 272-0661. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Deepak Rao/
Primary Examiner
Art Unit 1624

September 3, 2007

APPENDIX

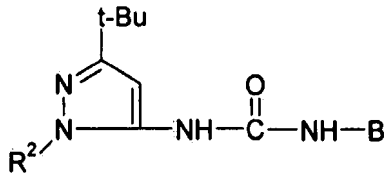
Listing of Claims:

Claims 1 - 5. (Cancelled)

6. (Previously amended) A compound of claim 33, wherein R1 is t-butyl and R2 is unsubstituted or substituted phenyl.

Claims 7 - 8. (Cancelled)

9. (Previously amended) A compound of claim 33 of the formula



wherein B and R^2 are as defined in claim 33.

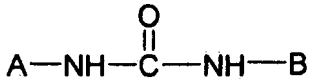
Claims 10 – 24. (Cancelled)

25. (Previously presented) A pharmaceutical composition comprising an effective amount of a compound of claim 33 and a pharmaceutically acceptable carrier.

Claims 26 – 31. (Cancelled)

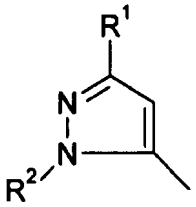
32. (Previously Presented) A compound as in claim 39 wherein B is optionally substituted pyridinyloxyphenyl, benzothiazolyloxyphenyl, benzothiazolylthiophenyl, pyrimidinyloxyphenyl, quinolinylthiophenyl, and phthalimidylmethylphenyl and R^2 is phenyl, substituted phenyl, pyridinyl or substituted pyridinyl.

33. (Previously Presented) A compound of formula I or a pharmaceutically acceptable salt thereof



I

wherein A is



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wherein R^1 is C_3-C_{10} alkyl, C_3-C_{10} cycloalkyl, up to per-halosubstituted C_1-C_{10} alkyl or up to per-halosubstituted C_3-C_{10} cycloalkyl;

B is phenyl, pyridinyl, or naphthyl, substituted by -M-L^1; and is optionally substituted by one or more substituents independently selected from the group consisting of halogen, up to per-halosubstitution, and X_n,

wherein n is 0–2 and each X is independently selected from the group consisting of -CN, -CO_2R^5, -$C(O)NR^5R^{5'}$, -$C(O)R^5$, -NO_2, -OR^5, -SR^5, -$NR^5R^{5'}$, -$NR^5C(O)OR^{5'}$, -$NR^5C(O)R^{5'}$, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_1-C_{10} alkoxy, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_7-C_{24} alkaryl, C_3-C_{13} heteroaryl, C_4-C_{23} alkheteroaryl, substituted C_1-C_{10} alkyl, substituted C_2-C_{10} alkenyl, substituted C_1-C_{10} alkoxyl, substituted C_3-C_{10} cycloalkyl, up to per-halosubstituted C_6 -C_{14} aryl, up to per-halosubstituted C_3-C_{13} heteroaryl and substituted C_4-C_{23} alkheteroaryl and -M-L^1;

where X is a substituted group, it is substituted by one or more substituents independently selected from the group consisting of -CN, -CO_2R^5, -$C(O)R^5$, -$C(O)NR^5R^{5'}$, -OR^5, -SR^5, -$NR^5R^{5'}$, -NO_2, -$NR^5C(O)R^{5'}$, -$NR^5C(O)OR^{5'}$ and halogen up to per-halosubstitution;

wherein R^5 and $R^{5'}$ are independently selected from H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_3-C_{13} heteroaryl, C_7-C_{24} alkaryl, C_4-C_{23} alkheteroaryl, up to per-halosubstituted C_1-C_{10} alkyl, up to per-halosubstituted C_2-C_{10} alkenyl, up to per-halosubstituted C_3-C_{10} cycloalkyl, up to per-halosubstituted C_6-C_{14} aryl and up to per-halosubstituted C_3-C_{13} heteroaryl,

wherein M is -O-, -S-, or $-(CH_2)-_m$

m = 1–3, and X^a is halogen; and

L^1 is pyridinyl, quinolinyl or isoquinolinyl, optionally substituted by halogen up to per-halosubstitution and optionally substituted by Z_{n1},

wherein n1 is 0 to 3 and each Z is independently -CN, $-CO_2R^5$, $-C(O)NR^5R^{5'}$, $-C(O)NR^5$, $-NO_2$, $-OR^5$, $-SR^5$, $-NR^5R^{5'}$, $-NR^5C(O)OR^{5'}$, $-C(O)R^5$, $NR^5C(O)R^{5'}$, C_1-C_{10} alkyl, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_3-C_{13} heteroaryl, C_7-C_{24} alkaryl, C_4-C_{23} alkheteroaryl, substituted C_1-C_{10} alkyl, substituted C_3-C_{10} cycloalkyl, substituted C_7-C_{24} alkaryl or substituted C_4-C_{23} alkheteroaryl;

wherein if Z is a substituted group, it is substituted by the one or more substituents independently selected from the group consisting of -CN, $-CO_2R^5$, $-C(O)NR^5R^{5'}$, $-OR^5$, $-SR^5$, $-NO_2$, $-NR^5R^{5'}$, $-NR^5C(O)R^{5'}$ and $-NR^5C(O)OR^{5'}$, and

wherein R^2 is unsubstituted phenyl, unsubstituted pyridinyl, substituted phenyl or substituted pyridinyl

wherein if R^2 is a substituted group, it is substituted by one or more substituents independently selected from the group consisting of halogen, up to per-halosubstitution, and V_n,

wherein n = 0–3 and each V is independently selected from the group consisting of -CN, -CO_2R^5, -C(O)$NR^5R^{5'}$, -OR^5, -SR^5, -$NR^5R^{5'}$, -C(O)R^5, -OC(O)$NR^5R^{5'}$, -$NR^5C(O)OR^{5'}$, -SO_2R^5, -SOR^5, -$NR^5C(O)R^{5'}$, -NO_2, C_1-C_{10} alkyl, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_3-C_{13} heteroaryl, C_7-C_{24} alkaryl, C_4-C_{24} alkheteroaryl, substituted C_1-C_{10} alkyl, substituted C_3-C_{10} cycloalkyl, substituted C_6-C_{14} aryl, substituted C_3-C_{13} heteroaryl, substituted C_7-C_{24} alkaryl and substituted C_4-C_{24} alkheteroaryl,

where if V is a substituted group, it is substituted by one or more substituents independently selected from the group consisting of halogen, up to per-halosubstitution, -CN, -CO_2R^5, -C(O)R^5, -C(O)NR^5R^5, -$NR^5R^{5'}$, -OR^5, -SR^5, -$NR^5C(O)R^{5'}$, -$NR^5C(O)OR^{5'}$ and -NO_2;

wherein R^5 and $R^{5'}$ are each independently as defined above.

34. (Previously Presented) A compound of claim 33 wherein one of the following combinations is satisfied:

R^2= unsubstituted phenyl, B=phenyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= unsubstituted phenyl, B=pyridinyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= unsubstituted phenyl, B = naphthyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= unsubstituted pyridinyl, B= phenyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= unsubstituted pyridinyl, B= pyridinyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= unsubstituted pyridinyl, B= naphthyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= substituted phenyl, B=phenyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= substituted phenyl, B=pyridinyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= substituted phenyl, B = naphthyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

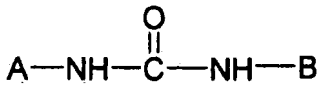
R^2= substituted pyridinyl, B= phenyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl,

R^2= substituted pyridinyl, B= pyridinyl and L^1 is pyridinyl, quinolinyl or isoquinolinyl, or

R^2= substituted pyridinyl, B= naphthyl and $L^1$is pyridinyl, quinolinyl isoquinolinyl.

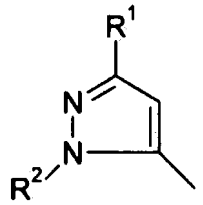
Claims 35 – 38. (Cancelled)

39. (Previously amended) A compound of Formula I or a pharmaceutically acceptable salt thereof



I

wherein A is



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wherein R^1 is C_3-C_{10} alkyl, C_3-C_{10} cycloalkyl, up to per-halosubstituted C_1-C_{10} alkyl or up to per-halosubstituted C_3-C_{10} cycloalkyl;

wherein n is 0–2 and each X is independently selected from the group consisting of -CN, -CO_2R^5, -$C(O)NR^5R^{5'}$, -$C(O)R^5$, -NO_2, -OR^5, -SR^5, -$NR^5R^{5'}$, -$NR^5C(O)OR^{5'}$, -$NR^5C(O)R^{5'}$, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_1-C_{10} alkoxy, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_7-C_{24} alkaryl, C_3-C_{13} heteroaryl, C_4-C_{23} alkheteroaryl, substituted C_1-C_{10} alkyl, substituted C_2-C_{10} alkenyl, substituted C_1-C_{10} alkoxyl, substituted C_3-C_{10} cycloalkyl, up to per-halosubstituted C_6-C_{14} aryl, up to per-halosubstituted C_3-C_{13} heteroaryl and substituted C_4-C_{23} alkheteroaryl and -M-L^1;

where X is a substituted group, it is substituted by one or more substituents independently selected from the group consisting of -CN, -CO_2R^5, -$C(O)R^5$, -$C(O)NR^5R^{5'}$, -OR^5, -SR^5, -$NR^5R^{5'}$, -NO_2, -$NR^5C(O)R^{5'}$, -$NR^5C(O)OR^{5'}$ and halogen up to per-halosubstitution;

wherein R^5 and $R^{5'}$ are independently selected from H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_3-C_{13} heteroaryl, C_7-C_{24} alkaryl, C_4-C_{23} alkheteroaryl, up to per-halosubstituted C_1-C_{10} alkyl, up to per-halosubstituted C_2-C_{10} alkenyl, up to per-halosubstituted C_3-C_{10} cycloalkyl, up to per-halosubstituted C_6-C_{14} aryl and up to per-halosubstituted C_3-C_{13} heteroaryl,

wherein M is -O-, -S-, -$N(R^5)$-, -(CH_2)-$_m$, -C(O)-, -CH(OH)-, -$(CH_2)_mO$-, -$NR^5C(O)$-, -$C(O)NR^5$, -$O(CH_2)_m$-, -$(CH_2)_mS$-, -$(CH_2)_mN(R^5)$-, -CHX^a-, -CX^a_2-, -S-$(CH_2)_m$- or -$N(R^5)(CH_2)_m$-, m = 1-3, and X^a is halogen; and

L^1 is pyridinyl, pyrimidinyl, pyrazinyl, pyridazinyl, quinolinyl, isoquinolinyl, phthalimidinyl, furyl, thienyl, pyrrolyl, imidazolyl, pyrazolyl, oxazolyl, isoxazolyl, thiazolyl, isothiazolyl, benzofuryl, benzothienyl, indolyl, benzopyrazolyl, benzoxazolyl, benzisoxazolyl, benzothiazolyl or benzisothiazolyl, optionally substituted by halogen up to per-halosubstitution and optionally substituted by Z_{n1},

wherein n1 is 0 to 3 and each Z is independently -CN, -CO_2R^5, -$C(O)NR^5R^{5'}$, -$C(O)NR^5$, -NO_2, -OR^5, -SR^5, -$NR^5R^{5'}$, -$NR^5C(O)OR^{5'}$, -$C(O)R^5$, $NR^5C(O)R^{5'}$, C_1-C_{10} alkyl, C_3-C_{10} cycloalkyl, C_6-C_{14} aryl, C_3-C_{13} heteroaryl, C_7-C_{24} alkaryl, C_4-C_{23} alkheteroaryl, substituted C_1-C_{10} alkyl, substituted C_3-C_{10} cycloalkyl, substituted C_7-C_{24} alkaryl or substituted C_4-C_{23} alkheteroaryl;

wherein if Z is a substituted group, it is substituted by the one or more substituents independently selected from the group consisting of -CN, -CO_2R^5, -$C(O)NR^5R^{5'}$, -OR^5, -SR^5, -NO_2, -$NR^5R^{5'}$, -$NR^5C(O)R^{5'}$ and -$NR^5C(O)OR^{5'}$.

40. (Cancelled)